

REMARKS

Claims 6-23 were pending in the application. Claims 6 and 11-18 have been amended. Support for the amendments can be found in Applicant's specification as published in United States Patent Publication 2002/0165901, specifically at paragraph [0044]. Applicant respectfully requests reconsideration.

ALLOWABLE SUBJECT MATTER

The Office Action allowed claims 19-22. Applicant thanks the Examiner for the finding of allowability.

CLAIM REJECTIONS UNDER 35 USC §101

The Office Action rejected claims 6-10 under 35 USC §101 because the claimed invention allegedly has no practical application.

Claim 6 has been amended to recite the allowed method of claim 19, now in Beauregard form. Therefore, it should also be allowable.

The Office Action rejected claims 11-18 under 35 USC 101 because they are not tied to a particular machine. Claim 11 has been amended to recite a machine (a programmed computer system). The Federal Circuit has held that a general purpose computer programmed to carry out a particular algorithm creates a "new machine" because a general purpose computer "in effect becomes a special purpose computer once it is programmed to perform particular functions pursuant to instructions from program software." *In re Alappat*, 33 F.3d 1526, 1545 (Fed.Cir.1994).

For the foregoing reasons, Applicant respectfully requests allowance of the pending claims. The Director is hereby authorized to charge any fees which may be required, including any petition for extension of time fees under §1.17, or credit any overpayment, to Deposit Account Number 50-0510.

Respectfully submitted,

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